



## Senate

General Assembly

January Session, 2005

**File No. 558**

Senate Bill No. 683

*Senate, April 28, 2005*

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT ESTABLISHING A TASK FORCE TO STUDY EMINENT DOMAIN LAWS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) (a) There is established a task force  
2       to review existing laws and regulations that authorize the state or a  
3       political subdivision of the state to take private property for public use  
4       and to make recommendations concerning criteria for determining  
5       what constitutes a valid public use under the Constitution of the  
6       United States and the Constitution of Connecticut.

7       (b) The task force shall be comprised of the following members: The  
8       Attorney General, the Commissioner of Economic and Community  
9       Development and the Commissioner of Transportation, or their  
10      designees, the chairpersons and ranking members of the judiciary,  
11      commerce and planning and development committees of the General  
12      Assembly and six members appointed one each by the president pro  
13      tempore of the Senate, the speaker of the House of Representatives, the

14 majority leader of the Senate, the majority leader of the House of  
 15 Representatives, the minority leader of the Senate and the minority  
 16 leader of the House of Representatives.

17 (c) All appointments to the task force shall be made no later than  
 18 thirty days after the effective date of this section. Any vacancy shall be  
 19 filled by the appointing authority.

20 (d) The chairpersons of the judiciary committee of the General  
 21 Assembly shall serve as chairpersons of the task force. The  
 22 chairpersons shall schedule the first meeting of the task force, which  
 23 shall be held no later than sixty days after the effective date of this  
 24 section.

25 (e) The task force shall report its findings and recommendations to  
 26 the General Assembly not later than February 8, 2006, in accordance  
 27 with the provisions of section 11-4a of the general statutes. The task  
 28 force shall terminate on the date that it submits such report or  
 29 February 8, 2006, whichever is earlier.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

**JUD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 06 \$
Legislative Mgmt.	GF - Cost	Potential Minimal
Attorney General; Department of Economic & Community Development; Department of Transportation	GF - None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill establishes a task force to review eminent domain laws, and appoints the following members or their designees; the Attorney General, the Commissioner of Economic Development, and the Commissioner of Transportation. It is anticipated that these agencies can participate in the task force within their normal budgetary resources. The bill also appoints the chairs and ranking members of the Judiciary Committee to the task force, it is possible other appointees could be legislators. Legislative Management may incur minimal costs for legislator mileage reimbursement, which is currently 40.5 cents per mile.

**OLR Bill Analysis**

SB 683

***AN ACT ESTABLISHING A TASK FORCE TO STUDY EMINENT DOMAIN LAWS*****SUMMARY:**

This bill creates a task force to (1) review existing laws and regulations authorizing the state or a municipality to take private property for public use and (2) make recommendations on criteria for determining a valid public use under the state and federal constitutions. The task force must report to the General Assembly by February 8, 2006 and it terminates when the report is submitted.

The task force consists of (1) the attorney general, and the economic and community development and transportation commissioners, or their designees; (2) the Commerce, Judiciary, and Planning and Development Committee chairmen and ranking members; and (3) one member appointed by each of the six legislative leaders. The bill requires the appointments to be made within 30 days of the bill's passage. The appropriate appointing authority fills any vacancies.

The bill makes the Judiciary Committee chairmen the task force's chairmen. They must schedule the first meeting within 60 days of the bill's passage.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 40      Nay 0